

PATENT
Customer No. 22852
Attorney Docket No. 2860.0691

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:)
)
Tohru Kimura et al.) Group Art Unit: 2873
)
Application No.: 09/976,077) Examiner: Timothy J Thompson
)
Filed: October 15, 2001)
)
For: OBJECTIVE LENS, COUPLING)
LENS, LIGHT CONVERGING)
OPTICAL SYSTEM, AND OPTICAL)
PICK-UP APPARATUS)
Commissioner for Patents
P.O. Box 1450
Washington, DC 20231

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Sir:

TERMINAL DISCLAIMER

Assignee, Konica Corporation, duly organized under the laws of Japan and having its place of business at 2970 Ishikawa-cho, Hachioji-shi, Tokyo, 192-8505, Japan, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 09/976,077, filed October 15, 2001 for OBJECTIVE LENS, COUPLING LENS, LIGHT CONVERGING OPTICAL SYSTEM, AND OPTICAL PICK-UP APPARATUS in the names of Tohru Kimura et al., as indicated by an assignment duly recorded in the United States Patent and Trademark Office at Reel 012255, Frame 0907 on Oct. 15, 2001.

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Assignee, Konica Corporation, further represents that it is the assignee of the entire right, title and interest in and to U.S. copending Published Application No.

2002/0012313, as indicated by an assignment duly recorded in the United States Patent and Trademark Office at Reel 011777, Frame 0464 on May 2, 2001.

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of Published Application No. 2002/0012313, Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

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If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 20, 2003

By: 
Stephen L. Peterson
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